

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

SESSION LAW 2014-16
HOUSE BILL 1103

AN ACT TO REQUIRE THE COURT TO CONSIDER WHETHER A JUVENILE PETITION HAS BEEN PROPERLY VERIFIED AND JURISDICTION HAS BEEN INVOKED AT THE PRE-ADJUDICATION HEARING, AS RECOMMENDED BY THE LRC COMMITTEE ON OMNIBUS FOSTER CARE AND DEPENDENCY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7B-800.1 reads as rewritten:

"§ 7B-800.1. Pre-adjudication hearing.

- (a) Prior to the adjudicatory hearing, the court shall consider the following:
- (1) Retention or release of provisional counsel.
 - (2) Identification of the parties to the proceeding.
 - (3) Whether paternity has been established or efforts made to establish paternity, including the identity and location of any missing parent.
 - (4) Whether relatives have been identified and notified as potential resources for placement or support.
 - (5) Whether all summons, service of process, and notice requirements have been met.
 - (5a) Whether the petition has been properly verified and invokes jurisdiction.
 - (6) Any pretrial motions, including (i) appointment of a guardian ad litem in accordance with G.S. 7B-602, (ii) discovery motions in accordance with G.S. 7B-700, (iii) amendment of the petition in accordance with G.S. 7B-800, or (iv) any motion for a continuance of the adjudicatory hearing in accordance with G.S. 7B-803.
 - (7) Any other issue that can be properly addressed as a preliminary matter.
- (b) The pre-adjudication hearing may be combined with a hearing on the need for nonsecure custody or any pretrial hearing or conducted in accordance with local rules.
- (c) The parties may enter stipulations in accordance with G.S. 7B-807 or enter a consent order in accordance with G.S. 7B-801."

SECTION 2. This act becomes effective October 1, 2014.

In the General Assembly read three times and ratified this the 12th day of June, 2014.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 2:50 p.m. this 19th day of June, 2014

